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MAY 21 2008

MEMO ENDORSED

May 21, 2008
SO ORDERED:

William H. Pauley III
WILLIAM H. PAULEY III U.S.D.J.

5/23/08

Hon. William H. Pauley, III
United States District Court
500 Pearl Street
Room 2210
New York, New York 10007

Re: Getty Images (US), Inc. V. Ruth Industries, Inc.
Docket No.: 08CV 3564
Our File No.: 920.011

Dear Judge Pauley,

The undersigned represents the defendant Ruth Industries Inc., in the above referenced matter. On May 9, 2008 the Court granted an extension of time to answer or otherwise respond to the plaintiff's complaint. A copy of the Court's So Ordered Extension of Time is annexed. Pursuant to this extension defendant must respond to plaintiff's complaint by May 27, 2008.

On May 19, 2008 we submitted to the Court "Defendant's Request for a Pre Motion Conference." The defendant's proposed motion seeks dismissal of plaintiff's complaint based on lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12 (b)(2) and (3) and 28 U.S.C. § 1400 (a), or in the alternative for a Change of Venue pursuant to 28 U.S.C. § 1404(a). A copy of this request is annexed.

This additional extension is requested as we are awaiting the scheduling of a Pre Motion Conference. In the interest of efficiency and judicial economy we seek an additional extension of defendant's time to respond to plaintiff's complaint of 20 days in order to accommodate the Pre Motion Conference and avoid the necessity of filing an answer which may be obviated by the motion referenced above.

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The undersigned contacted plaintiff's counsel, Karen Bekker, yesterday by phone to seek consent. Ms. Bekker neither consented, nor refused consent, instead indicated that her decision would be forthcoming. However as of this writing the undersigned has not been advised of counsel's position on this request. Given the impending deadline of May 27, 2008 this request is filed now.

We thank the Court for its courtesy and consideration of this matter.

Very truly yours,



Francesca A. Sabbatino

FAS/hr

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